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Frank C. Eisenschenk, Ph.D., Patent Attorney

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT

Examining Group 1617

Patent Application

Docket No. MET-037CXT

Serial No. 09/900,364

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Leonard M. Williams  
Art Unit : 1617  
Applicants : Paul D. van Poelje, Mark D. Erion, Toshihiko Fujiwara  
Serial No. : 09/900,364  
Filed : July 5, 2001  
Conf. No. : 7049  
For : Combination of FBPase Inhibitors and Antidiabetic Agents Useful for the Treatment of Diabetes

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached form PTO/SB/08 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. A copy of each cited reference is attached. However, Applicants have not submitted copies of the U.S. patents or published U.S. Patent Applications cited on attached Form PTO/SB/08 pursuant to 37 CFR 1.98(a)(2)(ii).

It is respectfully requested that the references cited on the attached form PTO/SB/08 be considered in the examination of the subject application and that their consideration be made of record.

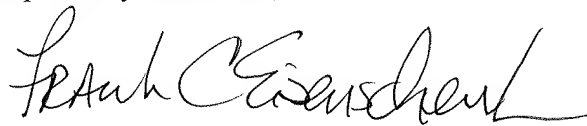
Applicants note that published International Applications cited as 44 and 45 on the attached form PTO/SB/08, were written in a foreign language. However, an English language abstract is

provided in the references. Applicants respectfully request that the references be made of record and considered in the examination of the subject application.

This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action on the merits, but before the mailing of a final action or the notice of allowance. The fee of \$180.00 was paid at the time this Information Disclosure Statement was filed.

Applicants respectfully assert that the substantive provisions of 37 C.F.R. §§ 1.97 and 1.98 are met by the foregoing statement. The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Eisenschenk". The signature is fluid and cursive, with the first name "Frank" being more prominent and the last name "Eisenschenk" following in a similar style.

Frank C. Eisenschenk, Ph.D.

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FCE/jps/sl

Attachments: Form PTO/SB/08; copies of references cited therein.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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				Art Unit	1617
				Examiner Name	Leonard M. Williams
Sheet	1	of	10	Attorney Docket Number	MET-037CXT

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If Known)			
	1.	3,551,422	12-29-1970	Tesoro, et al.	All
	2.	3,650,670	03-01-1972	Tesoro, et al.	All
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	35.	6,284,672	09-01-2001	Yu, et al.	All
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	37.	6,030,990	02-29-2000	Maeda, et al.	All

Examiner Signature		Date Considered	
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				Art Unit	1617
				Examiner Name	Leonard M. Williams
Sheet	2	of	10	Attorney Docket Number	MET-037CXT

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	<b>39.</b>	6,054,587	04-01-2000	Reddy, et al.	All
	<b>40.</b>	6,284,748 B1	08-01-2001	Dang, et al.	All
	<b>41.</b>	6,294,672 B1	09-01-2001	Reddy, et al.	All
	<b>42.</b>	2003/0073728	04-17-2003	Van Poelje, et al.	All

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	<b>43.</b>	AU 654899B B2	09-09-1993	De Nanteuil, et al.	All	
	<b>44.</b>	DE 195 01 843 A1	6-20-1996	Vass, et al.	All	
	<b>45.</b>	DE 40 29 444 A1	03-28-1991	Maier, et al.	All	
	<b>46.</b>	EP 0 033 195 A1	08-05-1981	Gacek, M.	All	
	<b>47.</b>	EP 0 034 480 A2	08-26-1981	Gigg, et al.	All	
	<b>48.</b>	EP 0 091 761 B1	11-19-1987	Kawamatsu, et al.	All	
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	<b>50.</b>	EP 0 186 405 A2	02-07-1986	Benedict, et al.	All	
	<b>51.</b>	EP 0 230 068 A2	07-29-1987	Benedict, et al.	All	
	<b>52.</b>	EP 0 243 173B1	06-26-1991	Oku, et al.	All	
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	<b>56.</b>	EP 0 528 760 A1	02-24-1993	Hayakawa, et al.	All	
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	<b>61.</b>	EP 0 636 630 A1	02-01-1995	Norcini, et al.	All	
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	<b>66.</b>	EP 0 489 663 A1	06-10-1992	Miyaoka, et al.	All	
	<b>67.</b>	EP 0 353 969 A1	02-07-1990	Wheland, et al.	All	
	<b>68.</b>	GB 1343022	01-09-1974	British Oxygen CO. LTD.	All	

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Sheet	3	of	10	Attorney Docket Number	MET-037CXT

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	70.	JP 07-002852 A2 (abstract only)	01-06-1995	Yoshioka, et al.	All	
	71.	JP 6-306089 A2 (abstract only)	01-11-1994	Shoji, et al.	All	
	72.	JP 09-048770 (abstract only)	05-30-1996	Sankyo, Co., Ltd.	All	
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	89.	WO 97/40051 A1	10-30-1997	Takatani, et al.	All	
	90.	WO 98/04528	02-05-1998	Schmidt, et al.	All	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	91.	Alimov, et al. "Preparation of amides on N-Phosphorylated amino cardoxylic acids", Online, Chemical abstracts, Columbus, OH, April 25, 2003.	
	92.	Amri, et al. "Regulation of adipose cell differentiation. I. Fatty acids are inducers of the aP2 gene expression", J. Lipid Res., pp. 1449-1456, 1991.	

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Sheet	4	of	10	Attorney Docket Number	MET-037CXT

	93.	Arcoria, et al. "Reactions of Triethyl Phosphite with 2-Haloacetyl-furan, -thiophene, -pyrrole and -N-methylpyrrole (1)", J. Het. Chem., Vol. 12, pp. 215-218, 1975.	
	94.	Ayral-Kaloustian, et al. "Synthesis of Partially-Protected D-fructofuranoses and D-fructose-6-phosphates" Carbohydrate Research, Vol. 214, pp. 187-192, Elsevier Science Publishers B.V., 1991.	
	95.	Baudy, et al. "Potent Quinoxaline-Spaced Phosphono a-Amino Acids of the AP-6 Type as Competitive NMDA Antagonists: Synthesis and Biological Evaluation", J. Med. Chem., Vol. 36, No. 3, pp. 331-342, 1992.	
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	97.	Benzaria, et al. "Synthesis in Vitro Antiviral Evaluation and Stability Studies of Bis(S-acyl-2-thioethyl) Ester Derivatives of 9-(2-(Phosphonomethoxy) ethyl]adenine (PMEA) as Potebtuak PMEA Prodrugs with Improved Oral Bioavailability", J. Med. Chem., Vol. 39, pp. 4958-4965, 1996.	
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	99.	Burke, et al. "Stereoselective Syntheses of the Rhizoxin C(1)-C(9) and C(12)--C(26) Subunits", Tetrahedron Letters, Vol. 39, pp. 2239-2242, 1998.	
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	101.	Corsano, et al. "A New Synthesis of Unsaturated Phosphonates (*) (**)", Gazzetta Chimica Italiana, Vol. 119, pp. 597-599, 1989.	
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				Examiner Name	Leonard M. Williams
Sheet	5	of	10	Attorney Docket Number	MET-037CXT

	104.	Ebetino, et al. "A Stereoselective Process for the Preparation of Novel Phosphonoalkylphosphinates", Journal of Organometallic Chemistry, Vol. 529, pp. 135-142, 1997.	
	105.	Farquhar, et al. "Biologically Reversible Phosphate-Protective Groups", Journal of Pharmaceutical Sciences, Vol. 72, pp. 324-325, 1983.	
	106.	Foley, et al. "Rationale and Application of Fatty Acid Oxidation Inhibitors in Treatment of Diabetes Mellitus", Diabetes Care, Vol. 15, No. 6, pp. 773-784, 1992.	
	107.	Folli, et al. "Angiotensin II inhibits insulin signaling in aortic smooth muscle cells at multiple levels", J. Clin. Invest., Vol. 100, No. 9, pp. 2158-2169, 1997.	
	108.	Franchetti, et al. "Acyclic Nucleotides Related to Clitocine: Synthesis and Anti-HIV Activity", Nucleosides & Nucleotides, Vol. 14, No. 3-5, pp. 607-610, 1995.	
	109.	Freeman, et al. "Prodrug Design for Phosphates and Phosphonates", Progress in Medicinal Chemistry, p. 34, 1997.	
	110.	Fujita, et al. "Organic Synthesis Utilizing Thiazolidine and The Related Heterocycles", Heterocycles, Vol. 21, No. 1, pp. 41-60, 1984.	
	111.	Fujiwara, et al. "Characterization of new oral antidiabetic agent CS-045: Studies in KK and ob/ob mice and Zucker fatty rats", Diabetes, Vol. 37, pp. 1549-1558, 1988.	
	112.	Garuti, et al. "Synthesis and Biological Evaluation of Some New Phosphates", Pharmazie, Vol. 47, pp. 295-297, 1992.	
	113.	Gastaldelli, et al. "Influence of Obesity and Type 2 Diabetes on Gluconeogenesis and Glucose Output in Humans", Diabetes, Vol. 49, pp. 1367-1373, 2000.	
	114.	Gerich, et al. "Matching Treatment to Pathophysiology in Type 2 Diabetes", Clinical Therapeutics, Vol. 23, No. 5, pp. 646-659, 2001.	

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				First Named Inventor	Paul D. van Poelje
				Art Unit	1617
				Examiner Name	Leonard M. Williams
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